

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LINCOLN LANE ADDLEMAN JR. et al.,

Plaintiffs,

v.

KING COUNTY et al.,

Defendants.

CASE NO. 2:23-cv-00286

ORDER

This matter comes before the Court on Plaintiffs’ “Third Motion for Court to Appoint Counsel Due to a Shocking Discovery and Insistance [*sic*] Plaintiff Meet with Defendants.” Dkt. # 56.

Plaintiffs, proceeding pro se and *in forma pauperis*, brings this civil rights action. Dkt. ## 6, 7. “In proceedings *in forma pauperis*, the district court ‘may request an attorney to represent any person unable to afford counsel.’” *Agyeman v. Corr. Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004) (quoting 28 U.S.C. § 1915(e)(1)). Deciding whether to appoint such counsel is within “the sound discretion of the trial court and is granted only in exceptional circumstances.” *Franklin v. Murphy*, 745 F.2d 1221, 1236 (9th Cir. 1984). “A finding of exceptional circumstances requires an evaluation of both ‘the likelihood of success on the merits

1 [and] the ability of the plaintiff to articulate [their] claims pro se given the complexity of the
2 legal issues involved.” *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986) (quoting
3 *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983)).

4 This is actually the fourth motion requesting the appointment of counsel in this case. *See*
5 Dkt. ## 19, 31, 34, 56. As before, Plaintiffs have not shown that any exceptional circumstances
6 exist. They have not shown a likelihood of success on the merits. The legal issues presented
7 here do not appear to be particularly complex.

8 For these reasons and for those argued by the King County Defendants, Dkt. # 60, the
9 Court DENIES the motion.

10 Dated this 11th day of September, 2023.

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13 John H. Chun
14 United States District Judge
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